

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JAPHETH L. MCALISTER,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

No. 3:12-cv-00556

Judge Nixon
Magistrate Judge Brown

ORDER

Pending before the Court is Plaintiff Japheth L. McAlister's Motion for Judgment on the Administrative Record ("Motion") (Doc. No. 12), filed with a Brief in Support (Doc. No. 12-1). Defendant Commissioner of Social Security filed a Response opposing the Motion. (Doc. No. 19.) Subsequently, Magistrate Judge Brown issued a Report and Recommendation ("Report") recommending that the Motion be granted in part and the case be remanded to the Commissioner for rehearing. (Doc. No. 26 at 14.) The Report was filed on September 19, 2013, and provided a period of fourteen days in which either party could file an objection. (*Id.*) Subsequently, the Court entered an Order on October 16, 2013, denying Defendant's Motion for Stay (Doc. No. 27) but providing each party an additional seven days from the entry of the Order to file an objection to the Report. (Doc. No. 28.) Neither party has filed an objection to date.

Upon review of this matter, the Court finds the Report to be well-founded and **ADOPTS** it in its entirety. Accordingly, the Court hereby **GRANTS** Plaintiff's Motion (Doc. No. 12) to the extent that the case is **REMANDED** to the Commissioner for rehearing. The Clerk of the Court is **DIRECTED** to close the case.

It is so ORDERED.

Entered this the 15th day of November, 2013.


JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT